

1 JEFFER, MANGELS, BUTLER & MARMARO LLP
JEFFREY K. RIFFER (Bar No. 87016) (JRiffer@jmbm.com)
2 1900 Avenue of the Stars
Seventh Floor
3 Los Angeles, CA 90067-4308
Telephone: 310-203-8080
4 Facsimile: 310-203-0567

5 Attorneys for Defendant JUPITERIMAGES CORP.
6
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 STEVE SHAPIRO and STEVE SHAPIRO
13 MUSIC,

14 Plaintiffs,

15 v.

16 JUPITERIMAGES CORPORATION,

17 Defendant.
18
19
20
21
22
23
24
25
26
27
28

CASE NO. 3:07-CV-5540 PJH

JUPITERIMAGES CORP.'S NOTICE OF
WITHDRAWAL OF MOTION TO DISMISS
COMPLAINT

Date: December 12, 2007

Time: 9:00 a.m.

Place: Courtroom 3

JMBM
Jeffer Mangels
Butler & Marmaro LLP

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Plaintiffs filed a Complaint for declaratory relief. The Complaint was incorrectly
3 drafted and declaratory relief was improper.

4 Jupiterimages Corporation ("Jupiterimages") filed a motion to dismiss the
5 Complaint. The motion cited several cases, directly on point, holding that declaratory relief was
6 improper.

7 Instead of dismissing the Complaint, plaintiffs persist in their wrongful conduct by
8 filing a First Amended Complaint ("FAC"). However, in light of the filing of the FAC,
9 Jupiterimages hereby files this Notice of withdrawal of motion to dismiss the original Complaint.

10 The FAC's request for declaratory relief is just as improper as the initial Complaint.
11 Jupiterimages will file a new motion to dismiss the FAC shortly.

12 DATED: November 20, 2007

JEFFER, MANGELS, BUTLER & MARMARO LLP
JEFFREY K. RIFFER

14 By: /S/ JEFFREY K. RIFFER
JEFFREY K. RIFFER
15 Attorneys for Defendant JUPITERIMAGES CORP.

JMBM
Jeffer Mangels
Butler & Marmaro LLP